

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION**

KENDRICK MAKINS,
Plaintiff,

vs.

NANCY A. BERRYHILL,
ACTING COMMISSIONER OF
SOCIAL SECURITY
ADMINISTRATION,

Defendant.

Civil Action No: 5:17-1497-MGL

ORDER

_____ This matter is before the Court on Plaintiff's Motion for an Award of Attorney's Fees pursuant to the Equal Access to Justice Act ("EAJA") filed January 26, 2019. ECF No. 26. *See* 28 U.S.C. § 2412. On February 6, 2019, Defendant filed a response in support of Plaintiff's motion and agreeing with Plaintiff's calculation of \$3,248.44 for attorney's fees and \$22.69 for expenses. ECF No. 27.

In accordance with *Astrue v. Ratliff*, 130 S.Ct 2521, 2528-29 (2010), EAJA fees awarded by this Court belong to the litigant, thus subjecting EAJA fees to offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B)) and, therefore, this Court **DIRECTS** fees be payable to the Plaintiff and delivered to Plaintiff's counsel. Accordingly,

IT IS ORDERED Plaintiff's motion for attorney's fees pursuant to the EAJA is **GRANTED** in the amount of \$3,248.44 in attorney's fees and \$22.69 in expenses.

/s Mary Geiger Lewis

MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE

February 6, 2019
Columbia, South Carolina